

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Agricultural Department – C.M.F., Service – Employees worked in APHMEL, Vijayawada absorbed in Marketing Department – Relaxation of rules for their promotion to the post of Deputy Executive Engineer – Orders – Issued.

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AGRICULTURE AND COOPERATION (A.M.II) DEPARTMENT

G.O.Ms.No. 6

Dated:16-01-2009  
Read the following:-

- 1)G.O.Ms.No.28, Agriculture and Cooperation (Mktg.II) Dept., dated 10.2.1995.
  - 2) G.O.Ms.No.42, Agriculture and Cooperation (Mktg.II) Dept., dated 24.2.195.
  - 3) G.O.Rt.No.1463, Agriculture and Cooperation (Mktg.II) Department, dated 1.12.1995.
  - 4) G.O.Rt.No.107, Agriculture and Cooperation (Mktg.II) Department, dated 30.1.1996.
  - 5)From the Commissioner and Director of Agril.Marketing, A.P., Hyderabad, Letter No.Estt.I(4)1012/95, dated 27.11.1995.
  - 6) G.O.Ms.No.226, Agriculture and Cooperation (Mktg.II) Department, dated 21.6.2002.
  - 7)G.O.Ms.No.400, Agriculture and Cooperation (Mktg.II) Department, dated 4.4.2008.
  - 8)From the Commissioner and Director of Agril.Marketing, A.P. Hyderabad, Letter No.Estt.C.M.F.960/2001, dated 15.7.2008.
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**O R D E R:-**

The following 9 Engineers working in Andhra Pradesh Heavy Machinery Engineering Limited, Vijayawada were taken on deputation to Marketing Department under Central Market Fund Service, as Assistant Engineers/Assistant Executive Engineers in relaxation of Rule 3(3) (ii) of Spl.Rules for Central Market Fund Service:-

S/Sri.

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|-------------------------|----------------------------------|
| 1. N.Shankar,           | .. Assistant Engineer.           |
| 2.Mohd.Shamshuddin      | .. Assistant Executive Engineer. |
| 3.P.Seshagiri Rao       | . Assistant Engineer             |
| 4.Y.S.A.V.S.R.K.Prasad  | ..Assistant Engineer             |
| 5.P.V.S.Chalapathi Rao, | Assistant Engineer.              |
| 6.B.Pitichi Reddy,      | Assistant Engineer               |
| 7.K.S.C.Bose            | Assistant Executive Engineer     |
| 8.D.Veerabhardra Rao    | Assistant Executive Engineer     |
| 9.K.Tata Rao            | Assistant Executive Engineer     |

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Subsequently, based on the proposals received from the Director of Marketing in the references 1<sup>st</sup> to 4<sup>th</sup> read above, orders were issued permitting the Director of Marketing, on permanent basis in Marketing Department under Central Market Fund Service.

In the reference 5<sup>th</sup> read above, the Director of Marketing has submitted proposals to Government to issue necessary orders for fixation of pay of the individuals in R.P.S.1993 as in respect of Sri.K.Tata Rao, Assistant Engineer Head Office, he himself fixed the pay from the date of absorption since the other 8 Engineers have filed O.A.Nos.5792, 5793,5794 and 5795 of 2001 for fixation of their pay with pay protection in RPS 1993 and 1999 w.e.f.the date of their absorption.

In the reference 6<sup>th</sup> read above, Government cancelled the orders of absorption issued in the references 1<sup>st</sup> to 4<sup>th</sup> read above and directed the Commissioner and Director of Agricultural Marketing, Andhra Pradesh to repatriate all the 9 Engineers to their parent company i.e. A.P.H.M.E.L., Vijayawada

Aggrieved by the orders, the Engineers have approached A.P.A.T., Hyderabad and the Tribunal in its final order dated 10.7.2007 in O.A.No.6079/02 set-a-side the orders issued by the Government in the reference 6<sup>th</sup> read above. Government filed Writ Petition No.3505/08 which was dismissed on 25.3.2008

Therefore in the reference 7<sup>th</sup> read above, Government accorded permission to the Commissioner and Director of Agricultural Marketing, A.P.Hyderabad to fix the pay of Sri.B.P.Pitchi Reddy and seven others similarly situated Assistant Engineer/Assistant Executive Engineers in the R.P.S.1993 as per their eligibility and in accordance with rules.

In the reference 8<sup>th</sup> read above, while furnishing the details of the case the Commissioner and Director of Agricultural Marketing, A.P.Hyderabad among other things has requested the Government to Amend the Spl.Rules or to relax the rules for considering Mechanical Engineering and Electrical Engineering for promotion to the post of Deputy Executive Engineer under Central Market Fund service as Sl.No.1 to 7 and Sl.No.8 to 9 mentioned in para 1 above looking after Civil works and Electrical works respectively and they have already put up more than 12 years of service in Agricultural Marketing Department.

Government after careful consideration, observe that these Engineers were absorbed in to Marketing Department during 1995 and 1996 and also absorbing them at lower level 12 years back under CMF Service. Therefore Government hereby decide to relax relevant rules as one time relief, and so as to promote them as Deputy Executive Engineers.

Accordingly Government hereby relax rule 2(i) (i) and 2(ii) (i) in of C.M.F.Rules i.e. one must possess the degree or a Diploma in Civil Engineering in respect of Sri.N.Shankar, Asst.Engineer and eight other Asst.Engineers as mentioned in para (1) above as one time relief. The Commissioner and Director of Agril.Marketing, A.P.Hyderabad is also permitted to promote the above Asst.Engineers to Category of Deputy Executive Engineers as per rules as and when vacancies arise, subject to their seniority fixed in lower cadre.

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The Commissioner and Director of Agricultural Marketing, A.P.Hyderabad shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PANKAJ DWIVEDI  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The individual  
through the Commissioner and Director of Agricultural Marketing,  
A.P.Hyderabad.  
The Commissioner and Director of Agricultural Marketing,  
A.P.Hyderabad.  
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER